Case 5:17-mj-00227-DUTY Document 1 Filed 05/24/17 Page 1 of 19 Page ID #:1

CR 17-107(15) DWF/TNL
Rule 5 Documents

FILED

2017 MAY 24 AM 10: 15

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America
PLAINTIFF(S)

v.

Veerapon Ghettalae
DEFENDANT(S).

CASE NUMBER
ED 17-0227M
CR 17-107

AFFIDAVIT RE
OUT-OF-DISTRICT WARRANT

The above-named defendant was charged by: Mary Kay Grzybek
in the ~~East~~ District of Minnesota on 5/16/17
at ______ ☐ a.m. / ☐ p.m. The offense was allegedly committed on or about 2016-2017
in violation of Title 18 U.S.C., Section(s) 1956(h)
to wit: ______

A warrant for defendant's arrest was issued by: ______

Bond of $______ was ☐ set / ☐ recommended.

Type of Bond:

Relevant document(s) on hand (attach):

I swear that the foregoing is true and correct to the best of my knowledge.

Sworn to before me, and subscribed in my presence on 5/24/17, by

[signature] Bandek, Deputy Clerk.

[signature]
Signature of Agent

John R. Harris
Print Name of Agent

Homeland Security Investigations
Agency

Special Agent
Title

SCANNED
MAY 25 2017
U.S. DISTRICT COURT ST. PAUL

FILED

2017 MAY 24 AM 10: 15

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA v.	PLAINTIFF	CASE NUMBER: ED17-0227M CR 17-107
Veerapon Ghettalae	DEFENDANT	REPORT COMMENCING CRIMINAL ACTION

TO: CLERK'S OFFICE, U.S. DISTRICT COURT

All areas must be completed. Any area not applicable or unknown should indicate "N/A".

1. Date and time of arrest: 5/24/17 0630 ☑ AM ☐ PM
2. The above named defendant is currently hospitalized and cannot be transported to court for arraignment or any other preliminary proceeding: ☐ Yes ☑ No
3. Defendant is in U.S. Marshals Service lock-up (in this court building): ☑ Yes ☐ No
4. Charges under which defendant has been booked:
   18 USC 1956 (h)
5. Offense charged is a: ☑ Felony ☐ Minor Offense ☐ Petty Offense ☐ Other Misdemeanor
6. Interpreter Required: ☐ No ☑ Yes Language: THAI
7. Year of Birth: 1961
8. Defendant has retained counsel: ☑ No
   ☐ Yes Name: ______ Phone Number: ______
9. Name of Pretrial Services Officer notified: POZZO, P
10. Remarks (if any): ______
11. Name: John R. Harris (please print)
12. Office Phone Number: (951) 365-7034
13. Agency: HSI
14. Signature: [signature]
15. Date: 5/24/17

ORIGINAL

SANDRA R. BROWN
Acting United States Attorney
LAWRENCE S. MIDDLETON
Assistant United States Attorney
Chief, Criminal Division
JOSEPH B. WIDMAN (Cal. Bar No. 256189)
Assistant United States Attorney
Chief, Riverside Branch Office
3403 Tenth Street, Suite 200
Riverside, California 92501
Telephone: (951) 276-6945
Facsimile: (951) 276-6202
Email: Joseph.Widman@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

FILED
CLERK, U.S. DISTRICT COURT
MAY 24 2017
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION BY DEPUTY

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. VERRAPON GHETTALAE, Defendant.	Case No. ED17-227M GOVERNMENT'S NOTICE OF REQUEST FOR DETENTION

Plaintiff, United States of America, by and through its counsel of record, hereby requests detention of defendant and gives notice of the following material factors:

_____ 1. Temporary 10-day Detention Requested (§ 3142(d)) on the following grounds:

_____ a. present offense committed while defendant was on release pending (felony trial), (sentencing), (appeal), or on (probation) (parole); or

______ b. defendant is an alien not lawfully admitted for permanent residence; and

______ c. defendant may flee; or

✓ ______ d. pose a danger to another or the community.

✓ ______ 2. Pretrial Detention Requested (§ 3142(e)) because no condition or combination of conditions will reasonably assure:

✓ ______ a. the appearance of the defendant as required;

✓ ______ b. safety of any other person and the community.

______ 3. Detention Requested Pending Supervised Release/Probation Revocation Hearing (Rules 32.1(a)(6), 46(d), and 18 U.S.C. § 3143(a)):

______ a. defendant cannot establish by clear and convincing evidence that he/she will not pose a danger to any other person or to the community;

______ b. defendant cannot establish by clear and convincing evidence that he/she will not flee.

______ 4. Presumptions Applicable to Pretrial Detention (18 U.S.C. § 3142(e)):

______ a. Title 21 or Maritime Drug Law Enforcement Act ("MDLEA") (46 U.S.C. App. 1901 et seq.) offense with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

______ b. offense under 18 U.S.C. §§ 924(c), 956(a), 2332b, or 2332b(g)(5)(B) with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

CASE 0:17-cr-00107-DWF-TNL Document 47 Filed 05/25/17 Page 5 of 13

_____ c. offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-2252A(a)(4), 2260, 2421, 2422, 2423 or 2425 (presumption of danger to community and flight risk);

_____ d. defendant currently charged with an offense described in paragraph 5a - 5e below, AND defendant was previously convicted of an offense described in paragraph 5a - 5e below (whether Federal or State/local), AND that previous offense was committed while defendant was on release pending trial, AND the current offense was committed within five years of conviction or release from prison on the above-described previous conviction (presumption of danger to community).

✓ 5. Government Is Entitled to Detention Hearing Under § 3142(f) If the Case Involves:

_____ a. a crime of violence (as defined in 18 U.S.C. § 3156(a)(4)) or Federal crime of terrorism (as defined in 18 U.S.C. § 2332b(g)(5)(B)) for which maximum sentence is 10 years' imprisonment or more;

_____ b. an offense for which maximum sentence is life imprisonment or death;

_____ c. Title 21 or MDLEA offense for which maximum sentence is 10 years' imprisonment or more;

______ d. any felony if defendant has two or more convictions for a crime set forth in a-c above or for an offense under state or local law that would qualify under a, b, or c if federal jurisdiction were present, or a combination or such offenses;

______ e. any felony not otherwise a crime of violence that involves a minor victim or the possession or use of a firearm or destructive device (as defined in 18 U.S.C. § 921), or any other dangerous weapon, or involves a failure to register under 18 U.S.C. § 2250;

✓ f. serious risk defendant will flee;

______ g. serious risk defendant will (obstruct or attempt to obstruct justice) or (threaten, injure, or intimidate prospective witness or juror, or attempt to do so).

______ 6. Government requests continuance of ______ days for detention hearing under § 3142(f) and based upon the following reason(s):

____

____

____

____

//

//

//

______ 7. Good cause for continuance in excess of three days exists in that:

____

____

____

____

Dated: May 24, 2017

Respectfully submitted,

SANDRA R. BROWN
Acting United States Attorney

LAWRENCE S. MIDDLETON
Assistant United States Attorney
Chief, Criminal Division

JOSEPH B. WIDMAN
Assistant United States Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

LIST OF EXHIBITS AND WITNESSES

FILED
CLERK, U.S. DISTRICT COURT
MAY 24 2017
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION BY DEPUTY

Case Number	ED17-227M	Title	USA v. Veerapon Ghettalae
Judge	SHERI PYM, UNITED STATES MAGISTRATE JUDGE		
Dates of Trial or Hearing	5/24/17		
Court Reporters or Tape No.	RS4 5-24-17		
Deputy Clerks	D. Brown		

Attorney(s) for Plaintiff(s) / Petitioner(s)	Attorney(s) for Defendant(s) / Respondent(s)
Joseph Widman	David Thomas, Panel - Appointed

Plaintiff(s) or Petitioner(s)			Defendant(s) or Respondent(s)			EXHIBIT DESCRIPTION / WITNESS	Called By
Ex. No.	Id.	Ev.	Ex. No.	Id.	Ev		
1	5/24/17	5/24/17				Copy of Email	

United States Pretrial Services

FILED

United States District Court
Central District of California

2017 MAY 25 AM 9:01

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

George M. Walker
Chief U.S. Pretrial Services Officer

Jill P. McClain
Deputy Chief U.S. Pretrial Services Officer

BY: [signature]

May 25, 2017

George E. Brown Jr.
United States District Court
3470 Twelfth Street
Riverside, California 92501

Re: Release Order Authorization
Defendant: Ghettalae, Veerapon
Docket # 17MJ00227

To Whom It May Concern:

On May 24, 2017, the defendant's bond was set by the Honorable Sheri Pym. Special conditions of the bond include: **RELEASE TO PRETRIAL SERVICES ONLY,** for placement in an electronic monitoring program.

Please be advised that the defendant has been found acceptable for placement in an electronic monitoring program.

If you determine that the bond has been satisfied, please prepare a release order with the **RELEASE TO PRETRIAL SERVICES ONLY** box checked for the duty Magistrate Judge's signature.

Sincerely,

Brenda Barrientos *BB*
Sr. Pretrial Services Officer
951-328-4483

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, PLAINTIFF v. VARAPORN GHERAVE DEFENDANT.	CASE NUMBER: ED 17-0227M **WAIVER OF RIGHTS (OUT OF DISTRICT CASES)**

FILED
CLERK, U.S. DISTRICT COURT
MAY 24 2017
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION BY DEPUTY

I understand that charges are pending in the ——— District of MINNESOTA alleging violation of MULTIPLE (Title and Section / Probation / Supervised Release) and that I have been arrested in this district and taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

(1) have an identity hearing to determine whether I am the person named in the charges;
(2) arrival of process;

-Check one only-

☐ **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

(3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
(4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

☐ **PROBATION OR SUPERVISED RELEASE CASES:**

(3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:

☒ have an identity hearing
☒ arrival of process
☐ have a preliminary hearing
☒ have an identity hearing, and I have been informed that I have no right to a preliminary hearing
☐ have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

Defendant: V. G[signature]

Defense Counsel: [signature]

Date: 5/24/17

United States Magistrate Judge: [signature]

I have translated this Waiver to the defendant in the Thai language.

Date: 5/24/17

Interpreter(if required): [signature]

CLOSED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Eastern Division - Riverside)
CRIMINAL DOCKET FOR CASE #: 5:17-mj-00227-DUTY All Defendants

Case title: USA v. Ghettalae

Date Filed: 05/24/2017
Date Terminated: 05/24/2017

Assigned to: Duty Magistrate Judge

Defendant (1)

Veerapon Ghettalae
TERMINATED: 05/24/2017

represented by **David J Thomas**
Hanna Brophy MacLean McAleer and Jensen LLP
1500 Iowa Avenue Suite 220
Riverside, CA 92507-2479
951-824-2984
Fax: 951-779-9494
Email: dthomas@hannabrophy.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts	**Disposition**
None	

Highest Offense Level (Opening)

None

Terminated Counts	**Disposition**
None	

Highest Offense Level (Terminated)

None

Complaints	**Disposition**
Defendant in violation of 18:1956(h)	

Plaintiff

USA represented by **US Attorney's Office**
AUSA - Office of US Attorney
Criminal Div - US Courthouse
312 N Spring St, 12th Floor
Los Angeles, CA 90012-4700
213-894-2434
Email: USACAC.Criminal@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
05/24/2017	1	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Veerapon Ghettalae, originating in the District of Minnesota. Defendant charged in violation of: 18:1956(h). Signed by agent John R Harris, Homeland Security Investigations; Special Agent. (ja) (Entered: 05/25/2017)
05/24/2017	2	REPORT COMMENCING CRIMINAL ACTION as to Defendant Veerapon Ghettalae; defendant's Year of Birth: 1961; date of arrest: 5/24/2017 (ja) (Entered: 05/25/2017)
05/24/2017	3	Defendant Veerapon Ghettalae arrested on warrant issued by the USDC District of Minnesota at St Paul. (Attachments: # 1 Charging Document)(ja) (Entered: 05/25/2017)
05/24/2017	4	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Sheri Pym as to Defendant Veerapon Ghettalae Defendant arraigned and states true name is as charged. Attorney: David J Thomas for Veerapon Ghettalae, Appointed, present. Court orders bail set as: Veerapon Ghettalae (1) $150,000 Appearance Bond, SEE ATTACHED BOND FOR TERMS AND CONDITIONS. Court orders defendant held to answer to District of Minnesota. Bond to Transfer. Defendant ordered to report on 6/23/17 by 12:00 PM. (THAI) INTERPRETER Required as to Defendant Veerapon Ghettalae. Government moves to UNSEAL Indictment: GRANTED. Court Smart: CS 5/24/17. (ja) (Entered: 05/25/2017)
05/24/2017	5	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Veerapon Ghettalae (ja) (Entered: 05/25/2017)
05/24/2017	6	LIST OF EXHIBITS AND WITNESSES at trial as to Veerapon Ghettalae. (ja) (Entered: 05/25/2017)
05/24/2017	8	FINANCIAL AFFIDAVIT filed as to Defendant Veerapon Ghettalae. (Not for Public View pursuant to the E-Government Act of 2002) (ja) (Entered: 05/25/2017) Sent to CFU 5/25/17 mg

05/24/2017	9	WAIVER OF RIGHTS approved by Magistrate Judge Sheri Pym as to Defendant Veerapon Ghettalae. (ja) (Entered: 05/25/2017)
05/25/2017	7	MEMORANDUM FOR RELEASE ORDER AUTHORIZATION filed by PSA Officer as to Defendant Veerapon Ghettalae. Submitted in compliance with conditions as set forth in Bond and Conditions (ja) (Entered: 05/25/2017)
05/25/2017		Notice to District of Minnesota of a Rule 5 Initial Appearance as to Defendant Veerapon Ghettalae. Your case number is: CR 17-107. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: 4 Initial Appearance - Arrest on Out of District Warrant - Rule 5(c)(3) (fka Rule 40), Interpreter Required. If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (ja) (Entered: 05/25/2017)

PACER Service Center

Transaction Receipt

05/25/2017 15:07:21

PACER Login:	MinnDist:4406639:0	**Client Code:**	clerks office
Description:	Docket Report	**Search Criteria:**	5:17-mj-00227-DUTY End date: 5/25/2017
Billable Pages:	2	**Cost:**	0.20